

GW/TML:gh 4239-64087-01 465306 12/19/05 E-256-1999/0-US-06

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Message: Transmitted herewith for filing in the below-identified application is a Response to Restriction Requirement. If you do not receive all pages or if you have problems receiving transmittal, please call Gwynedd Warren at (503) 595-5300.

In re application of: *Cuttitta et al.*

Application No. 10/070,853

Filed: August 26, 2002

Confirmation No. 2579

For: DETERMINATION OF ADRENOMEDULLIN-
BINDING PROTEINS

Examiner: Lisa V. Cook

Art Unit: 1641

Attorney Reference No. 4239-64087-01

CERTIFICATE OF FACSIMILE

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Attorney or Agent
for Applicant(s)

Tanya M. Harding

Date Transmitted

December 19, 2005

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Tanya M. Harding, Ph.D.
Registration No. 42,630

December 19, 2005

cc: Docketing

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GW/TMH:gh 12/19/05 464062.doc E-256-1999/0-US-06
PATENTAttorney Reference Number 4239-64087-01
Application Number 10/070,853

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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CENTRAL FAX CENTERIn re application of: *Cuttitta et al.*

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Filed: August 26, 2002

Confirmation No. 2579

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ADRENOMEDULLIN-BINDING
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RESPONSE TO RESTRICTION REQUIREMENT

This responds to the Office action (Restriction Requirement) dated November 18, 2005, for which a one-month period of reply was set, December 18, 2005 was a Sunday, making a response due on or before Monday, December 19, 2005. This response is timely filed on December 19, 2005. It is believed that no fee is required; however if it is determined that a fee is necessary to file this paper, deposit account authority is provided in the accompanying transmittal letter.

Remarks

Claims 1-52 are pending in this application. Claims 1-52 were subject to a restriction requirement dated November 18, 2005, in which the claims were divided into nine Groups (I-IX). Applicants provisionally elect Group I (drawn to methods of measuring adrenomedullin levels in a sample) with traverse. Applicants request that the requirement for restriction be withdrawn based on the comments provided herein. No amendments are made.

This application is a National Phase of an international patent application filed under the PCT. The applicable standard with respect to restriction practice in a National Phase Application is the Unity of Invention Standard under PCT Rule 13.1 and 13.2. Under PCT Rule 13.2, if various embodiments of an invention are linked by a shared special technical feature it is improper to divide them into separate inventions for the purpose of examination. Accordingly, in the present application, the claims can only be restricted into more than one group for the